

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1648

IN THE MATTER OF:

Served February 7, 1977

Order Directing D. C. TRANSIT)
SYSTEM, INC., to Comply with) Docket No. 294
Regulation Nos. 55-08 and 65-03)

Investigation to Determine the)
Nature of Joint Operations, if)
any, between D. C. TRANSIT SYSTEM,) Docket No. 320
INC., and WASHINGTON, VIRGINIA)
AND MARYLAND COACH COMPANY, INC.,)
and Order Directing Compliance)

By motion filed February 4, 1977, D. C. Transit System, Inc. (Transit), seeks an extension of time from February 8, 1977, to February 22, 1977, in which to comply with the Commission's Order (sic) of January 12, 1977, in the above-captioned proceedings.

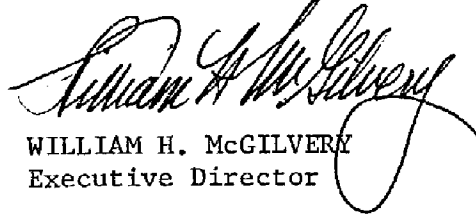
On January 6, 1977, the staff of the Commission sought a subpoena to compel the production of a witness or witnesses and certain documents, and a copy of the petition for issuance of a subpoena was duly served on William M. Treadwell, counsel of record for Transit. The petition was unopposed and said subpoena was issued and served on January 12, 1977.

In support of the motion, it is stated that on January 27, 1977, Transit retained the firm of Kahn and Kahn to represent it before the Commission in this matter and that because of other commitments, newly retained counsel has been unable to review those documents which are the subject of the subpoena.

No explanation is offered for Transit's failure to consult with its counsel of record or for its three-week delay in retaining the firm of Kahn and Kahn. Moreover, the documents to be produced on February 8, 1977, are ordinary business papers relating to transportation of charter groups for the period February 27, 1976, through June 1, 1976, and should not require extensive preparation or review. Accordingly, no proper or sufficient cause has been shown for granting the relief sought.

THEREFORE, IT IS ORDERED that the above-described motion be,
and it is hereby, denied.

FOR THE COMMISSION:

A handwritten signature in cursive script, appearing to read "William H. McGilver", written in dark ink. The signature is fluid and somewhat stylized, with a large loop at the end of the last name.

WILLIAM H. MCGILVER
Executive Director